

REMARKS

The comments of the Examiner as set forth in the official office action of May 4, 2005 have been carefully studied and reviewed.

First, the Examiner has rejected claims 1-19 under 35 USC §112. The Examiner is concerned about the phrase "using a regional metropolitan industry-to-industry Internet electronic commerce website." The Examiner states that it is not clear how the website is used. As the specification indicates, the claimed method derives data from sales and purchasing transactions that occur between businesses within a geographical region to update continuously technical coefficients in an input-output model of a regional economy. This information is collected through an Internet website. The Examiner is referred to the specification, page 5 beginning at line 12 and continuing through page 6, line 11.

The Examiner also raises a question concerning the term "to update technical coefficients in a regional econometric input-output model." The Examiner takes the position that this is an intended use, and hence not given patentable weight. Counsel for Applicant understands the principle that the Patent Office sometimes sets forth regarding "intended use" recitations in an apparatus claim. However, this is not an apparatus claim, this is a method claim and the phrase in question is a part of the method steps of claim 1. Updating technical coefficients in the regional econometric input-output model is a part of the claimed invention. Patentable weight should be given to this phrase.

The Examiner has rejected claim 1 as being drawn to non-statutory subject matter as required by 35 USC§ 101. The Examiner's suggestion for amended claim 1 to overcome this rejection has been adopted.

Next, claims 1-19 stand rejected as being obvious under 35 USC §103(a) as being unpatentable over the Conklin patent, U.S. Patent No. 6,141,653. First, the Section 103 rejection is not entirely understood. As a general rule, in setting forth a Section 103 rejection, the Patent Office will make findings which will include the differences between the claimed


invention and the prior art as well as the motivation for altering or modifying the prior art. In this case there are no such findings. There is no indication of what claim features are absent from the Conklin patent and why a person of ordinary skill in the art would modify the Conklin teachings to arrive at the claimed invention. The rejection is confusing inasmuch as a review of the body of findings by the Patent Office suggest that the Conklin patent includes each and every limitation of every claim. If that is the case, then it would appear that the rejection should be based on Section 102.

Notwithstanding, claim 1 and the claims depending therefrom are patentable over the Conklin teachings. Nowhere in the Conklin patent do the inventors say anything about updating technical coefficients in a regional econometric input-output model. That is an essential element of the claimed invention and is absent in the Conklin patent.

For the foregoing reasons, the Examiner is respectfully requested to withdraw the pending rejections and to allow claims 1-19.

Respectfully submitted,

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